

BEYER WEAVER & THOMAS, LLP

INTELLECTUAL PROPERTY LAW

2030 Addison Street, Seventh Floor, Berkeley, CA 94704
Telephone: (510) 843-6200 Facsimile: (510) 843-6203
www.beyerlaw.com

FACSIMILE COVER SHEET

September 9, 2003

Receiver: Examiner Corbett Coburn

Company: USTPO
Group 3714

TEL #:

FAX #: 703-872-9302

Sender: David P. Olynick

Re: U.S. Application No. 09/927,742
Our File No. IGT1P061

Pages Including Cover Sheet(s): 89

MESSAGE:

Examiner Coburn:

Please see attached...

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SEP. 9. 2003 4:56PM

NO. 334—P. 2

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Kaminkow

Attorney Docket No.: IGT1P061/P-573

Application No.: 09/927,742

Examiner: Corbett Coburn

Filed: August 10, 2001

Group: 3714

Title: FLEXIBLE LOYALTY POINTS
PROGRAMS

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted by facsimile to
Examiner Coburn 703-872-9302 at the U.S. Patent and Trademark Office on
September 9, 2003.

Signed:

Mia Mitchell-Haynes

Request to Withdraw Final Office Action
In First Office Action after filing of RCE

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SEP 10 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

OFFICIAL

In response to the Final Office Action dated August 20, 2003 please see consider the following remarks.

REMARKS

A final office action was mailed August 20, 2003. The final office action was the first office action after the filing of an RCE. Applicant believes the final office action was improper because in the office action Mailed May 27, 2003, which was in response to an attempt to amend the pending claims after the final office action of March 10, 2003, the Examiner did not enter the proposed amendments because "they raise new issues that would require further consideration and/or search." Thus, applicant believes the final rejection is premature and respectfully requests the Examiner to consider withdrawing the final rejection. A copy of the response of May 27, 2003 is attached to this correspondence.

The applicant now provides citations from the MPEP to support applicant's assertion that the final rejection was premature. MPEP § 706.07 (h) states,